

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

SHAWN SULLIVAN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

-against-

DB INVESTMENTS, INC., et al.,

Defendants.

Civil Action Index No.

04-02819 (SRC)

Electronically Filed

**NOTICE OF MOTION AND MOTION FOR AN ORDER APPROVING DISTRIBUTION
OF SETTLEMENT FUNDS TO THE INDIRECT PURCHASER RESELLER SUBCLASS
AND REIMBURSEMENT OF ADDITIONAL EXPENSES INCURRED BY CLASS
COUNSEL**

PLEASE TAKE NOTICE that the undersigned, attorneys for the Class in the above-captioned case, hereby move this Court for an order approving distribution of settlement funds to the Indirect Purchaser Reseller Subclass and reimbursement of additional expenses incurred by Class Counsel.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, movants will rely on the accompanying Memorandum of Law in Support of Plaintiffs' Motion for an Order Approving Distribution of Settlement Funds to the Indirect Purchaser Reseller Subclass and Reimbursement of Additional Expenses Incurred by Class Counsel; the Declaration of Joseph J. Tabacco, Jr., in Support of Plaintiffs' Motion for an Order Approving Distribution of Settlement Funds to the Indirect Purchaser Reseller Subclass and Reimbursement of Additional Expenses Incurred by Class Counsel and exhibits attached thereto; and the Declaration of Daniel Coggeshall Regarding the Claims Administration Process and Allocation and Distribution of the Net Settlement Fund and exhibits attached thereto; all of which are submitted concurrently herewith.

PLEASE TAKE FURTHER NOTICE that a [Proposed] Order Approving Distribution of the Indirect Purchaser Reseller Subclass Net Settlement Fund to Authorized Reseller Claimants and Reimbursement of Additional Expenses Incurred by Counsel, granting the relief sought in this motions is also being submitted concurrently herewith.

Dated: July 16, 2012

Respectfully submitted,

By: /s/ John A. Maher

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